G. R. S. 58]
Previous references.

File No. 120-10

19 10.

Serial Nos. 1-2

(Courts)

Later references.

Pris 34-12(1-4)
Pris 36-12 5-8

GENERAL AND REVENUE SECRETARIAT.

1

Serial Nos. 1-2

Part B for Dec 10.

SUBJECT.

Memorial of Kanjunda convicted of murder.

Table of Contents.

1. From the Registrar Ch Court No 2202 dated 15.11.10.
Forwards the above memorial

2. To the Registrar Ch Court No 18768 dated 22-12-10.
Communicates H. H's order commuting the sentence of death to one of transportation for life.

GPB—5,000—22-10-10

G.R.S. 11] 190 -.11

GENERAL AND REVENUE SECRETARIAT

(Courts)

NOTES.

C/S File. No. 120-10.

FILE HEADING.

Memorial of Nanjunda, Convicted of murder.

From The Registrar of the Chief Court.

No. 2202/140. Dated 15.11.10. Received 16.11.1910.

Diary No. 2/336	Enclos. 4 Record. Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Forwards a memorial addressed to His Highness the Maharaja, by Nanjunda Convicted of murder in Mysore Sessions Case No 4 of 1910-11

NOTES AND ORDERS

Subt for orders.

Hcs SN 16-11-10 8/11

(1) According to the petitioners own statement before the Committing magistrate, he committed several murders on the same day,

Notes—First sheet.

GPB—30,000—20-3-06.

G. R. S. 12]
General and Revenue Secretariat.

Cto File No. 120 of 190-11

Serial No.

though he has been tried and convicted only in respect of one viz of that of Chikkaden, on his own plea of guilt the memorialist does not ~~dispute the offence committed~~ even in this memorial attempt to deny that he committed the offence. His only plea is that his people (his guilt) his sister-in-law and her paramour worried him to madness and that in a moment of passion when he had lost all control over himself he murdered the deceased. The Chief Court have however held that so far at least as the murder of Chikkaden is concerned there was no provocation at the time the deed was committed, that on the contrary the petitioner deliberately sought him out and did him to death and that consequently there were no grounds for interfering with the sentence of death passed by the learned Sessions Judge. The latter has held that ~~in~~ it is probably true that the murdered

NOTE—Contn. sheet.

GPB—55,000—27-4-09

G. R. S. 12]
General and Revenue Secretariat.

File No. 120 of 190–11

Serial No.

man joined with the petitioners
Sister-in-law and his paramour
in prosecuting him but that this
Can not be accepted as a palliation
of the offence.

(2) It is difficult to hold
that the petitioner was moved to
do the deed by "sudden and
grave provocation" and the Conviction
for murder and the Sentence of
death seem therefore to be legally
unavoidable. The
only circumstance that can be
urged on behalf of the petitioner is
that he evidently had
lost his balanced mind by the
worry and prosecutions to which he
was subjected, though it can not
be said that his mental Condition
approached insanity. According to
his own admission he murdered
several people on the same day
and it is worth Considering whether
he need be shown any leniency.

24/11/10

No evidence about this except his own statement. The P.W.s say that the accused was refusing to give a share of the property to his brother's wife.

Council matter

See

NOTE—Contn. sheet.

GPB—55,000—27-4-09

G. R. S. 12]
General and Revenue Secretariat.

C5 File No. 120 of 1904

Serial No.

3 This does not seem to be a case in which any leniency would be justified. The accused murdered four persons and ~~attempted~~ would have murdered another. There is no doubt that there were some dispute between the accused & his brother's widow Mallamma about property & that on the morning of the murders they had some words about it. But there is nothing to show that any of the ~~deceased~~ murdered persons acted toward the accused in a manner calculated to give him grave & sudden provocation.

4 This seems to be a case in which the law should be allowed to take its course.

Scheduled case

Dewan through 1st & 2nd Crs) C13 25/4/10 SR

859. 5) The man was mad apparently and had certainly lost control over his mind. Perhaps he had what some Culprits (in America?) set up as 'homicidal mania' on. But so long as the extreme penalty is maintained, he deserves to suffer it. 25/4/10.

NOTE—Contn. sheet.

GPB—55,000—27-4-09

G. R. S. 12]
General and Revenue Secretariat.

File No. 120 of 190

Serial No.

The Memorial may be rejected.

26/11/10

(1) Far from there being any extenuating circumstances, the offence assumes an aggravated form from the attendant circumstances. Petn may be rejected.

26/11/10

Dewan

8 Q 32
28.11.10

COB
26/11/10
28
26/11/10

NOTE—Contn. sheet.

(GPB—55,000—27-4-09

1

Submitted to His Highness.

"Paper under disposal".

I submit herewith a memorial addressed to His Highness the Maharaja by Nanjunda a convict in the Mysore Jail -- under sentence of death.

2. Nanjunda in the course of one day murdered four persons and caused serious injuries to a fifth in the village of Mugur in the T. Narasipur Taluk. He first cut down one Madayya with a chopper after lying in wait for him in his field, and then proceeded home and dealt similarly with his (memorialist's) sister-in-law Mallamma and her daughter Kempamma. Finally he went in search of Chikakusa and cut him several times on the head and the neck and killed him. Before any attempt was made to catch him he also gave some cuts to Subbamma mother of -- Mallamma and seriously injured her. He eluded his pursuers and gave himself up at the Taluk Cutcherry.

3. He was charged before the Sessions Judge only with the murder of Chikakusa and causing grievous hurt to Subbamma. He pleaded guilty to the charge of murder and was awarded the -- capital sentence.

4. In appeal the memorialist pleaded that his victims had persecuted him and made him " grow angry all of a sudden". But the Chief Court confirmed the conviction and sentence, holding that " so far as Chikakusa was concerned he was deliberately sought out by the accused and murdered in cold blood".

7 (para 3) — 4 — para (4).

5. In his present memorial, the convict says that he was not in his proper senses when he committed these murders. But as pointed out in the judgment of the Chief Court the murder of Chikakusa was deliberately planned and committed.

Paras 4 & 5

6. Both the Councillors are of opinion that there are no -- extenuating circumstances in the case requiring the exercise of

the royal prerogative. The Second Councillor's opinion is somewhat qualified. Provocation there certainly was, and one of a grave nature. But it cannot be said that it was sudden; and, without pausing to compare this case with any others in which the Royal prerogative of mercy has been exercised, I think I should vote for the appeal being rejected.

7. I submit the papers for His Highness's orders.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

2.12.10
1685.

Memorial by one Nanjunda convicted of murder, praying for remission of the sentence of death passed upon him.

Order.

PRIVATE SECRETARY MYSORE

D. O. No. 1854

The Palace, Bangalore,

8th December 1910.

My dear Sir,

With reference to File No.1355 dated 2-12-10 His Highness has decided to commute the sentence of death passed on Nanjunda to one of Transportation for life. It seems to His Highness that no adequate motive has been proved for the series of ferocious murders committed by Nanjunda, and it appears to him to be almost certain that the man's mind had become unhinged and that he was not sane at the time when he committed the murders. Unfortunately Nanjunda's plea of guilty was accepted as it stood by the Sessions Court, and the plea of insanity was neither raised nor investigated. It is too late now to go into the question of the man's sanity at the time that he committed the murders. I may mention that at His Highness' request I consulted both Messrs Ismay and Krishna Rao (in the course of a casual conversation at the Residency Garden party yesterday) about the case and they both said that the case was a suitable one for a commutation of the sentence.

Yours sincerely

R. Campbell

T. Ananda Rao, Esq., C.I.E.,
Dewan of Mysore,
Bangalore.

G. R. S. 12]
General and Revenue Secretariat.

File No. 122 of 190

Serial No.

Draft submitted accordingly

cpl (139) 14/12/10.

14/12/10

Dewan

cpl 14/12/10

14/12/10.

Fair copy also submitted

92-85

15.12.10

Draft and fair copy signed by the Dewan are herewith put up.

Cpl (10) 21/12/10

Issue

cpl 21/12/10

21/12/10.

2 To the Registrar, Chief Court.

No. J 1876 dt 22-12-10

Communicates His Highness' Order Commuting the death sentence to transportation for life.

NOTE—Contn. sheet.

GPB—55,000—27-4-09

L

No 2202
1140

7/1336/ Bangalore, 15th November 1910.
15

From

The Registrar of the
Chief Court of Mysore.

To The offg: Secretary
to the Government of Mysore,
Genl and Revenue Departments.

Sir,

I am directed to forward herewith a memorial addressed to His Highness the Maharajah by Nanjunda, appellant in criminal appeal No: 29 of 1910-11 on the file of this Court and accused in Referred case No: 2 of 1910-11 on the file of the Sessions Judge, Mysore.

The entire record is herewith forwarded.

I have the honor to be
Sir,
your most obedient servant,

Registrar.

V.

To His Highness the Maharaja of Mysore, G.C.S.I.

Memorial of Kanjunda, prisoner no: 8217, Mysore gail:—

Being unable to put up with the family difficulties, I, in a moment of anger and senselessness, committed murder for which the Courts have sentenced me to death. But the Lower Courts being of opinion, that I deliberately committed murder, have passed on me the severest sentence, I conscientiously assert, that it is not so. I swear I had no sense then. If I had been in my proper senses, I would certainly not have committed such a deed.

God

Sworn and signed before me
Chastale

In the Chief Court of Mysore at
Bangalore.

Friday the 7th day of October 1910.

Present-

The Hon'ble Stanley Isaac, C.S.I, Chief Judge
and
The Hon'ble K. S. Chandrasekhara Aiyar,
Offg: Judge.

Petition of Criminal
Appeal No. 29 of 1910-11
Referred case No: 2 of 1910-11.
against the conviction
and sentence by the Sessions
Judge, Mysore, under section
302 of the Indian Penal
Code in Mysore Sessions
case No: 4 of 1910-11

Appellant-
Nanjunda
(accused)

Judgment-

The

The prisoner Nanjunda has been convicted by the Sessions Judge of Mysore, on his own plea of guilt, of the murder of one Chikka Kusa alias Siddia, and the records have been submitted to this Court for confirmation of the death sentence passed on him.

2. It appears from Nanjunda's confession that this was not the only murder committed by him in the course of the day. He first cut down one Madagya with a chopper after lying in wait for him in his field, and proceeded home and dealt similarly with his sister-in-law and her daughter. Finally he went in search of Chikka Kusa and cut him several times on the head and neck, besides seriously injuring one Siddamma, before he was arrested to be seized. He eluded his pursuers, and gave himself up at the Taluk Cutcherry.

3. In the appeal petition which the accused has presented, he

he admits his guilt, but asks for release from jail, or at least for a Commutation of sentence on the ground that his victims persecuted him, and made him grow angry all on a sudden".

4. We have taken all the facts of the case into consideration, and agree with the learned Sessions Judge that so far as Chinnakutsa was concerned he was deliberately sought out by the accused and murdered in cold blood. We see no extenuating circumstances, and accordingly we reject Nanjunda's appeal, and confirm his conviction for murder as well as the sentence of death passed on him.

(Signed) E. Evans
Chief Judge

(Signed) K. S. Bhimasenkara Aiyar
Asst. Judge

"True Copy"

Asst. Registrar

Dy: Registrar

Exd by:- Dec.

Date of application 8-11-10
Date on which stamps & fees were deposited —
Date on which stamps & fees were called for —
Date on which copy was ready 8-11-10
Date on which copy was delivered 8/11/10
Charges of copying & examining Rs. 0-7-2

No. J 1876/45-120-10
Ends 1 and 2 files.

MYSORE GOVT. GEN. & REV. SECRETARIAT.

Dated Bangalore 22-12-10 ~~190~~.

From

The Secretary to the Government of H. H. the Maharaja of Mysore.

To

The Registrar of the Chief Court of Mysore.

SIR,

I am directed to forward herewith for information of the Judges of the Chief Court and for communication to the prisoner Anjunda (accused of murder (No 8217)
rgoing sentence of death
ıe Mysore Jail, copy of order passed by H. H. the Maharaja
ysore, on the prisoner's memorial praying that he maybe released
rom jail

2. The entire records received with your letter No. 2202/140 dated 15th November 1910 are herewith returned.

I have the honor to be,

SIR,

Your most obedient servant,

for Secretary.

Dft Copd 14/12/10. 14/12
(139)

Mr. 143. 15/12

In the Matter of a Memorial from
one Nanjunda (prisoner No 8217 of the Mysore jail) accused in Mysore Sessions
case No 4 of 1910-11 and appellant in Crl Appeal
No 29 of 1910-11 on the file of the Chief Court of Myso,
praying for a remission of the sentence of death
passed on the memorialist,

His Highness the Maharaja

has been pleased to Commute the SB
Sentence of death passed on ~~him~~ the prisoner (~~to jail~~) SB
to one of Transportation for life.

Dated 8th Dec 1910.

Dewan of Mysore

CSB 14/12/10
SB

Dft SW-11
cpl Tyl
(139) 14/12/10

SB. 143
15/12